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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,344	11/20/2001	Shawn R. Gettemy	PALM-3676	4295

7590 09/15/2004
WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

LAO, LUN YI

ART UNIT PAPER NUMBER

2673

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,344

Applicant(s)

GETTEMY ET AL.

Examiner

Lao Y Lun

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 5-7, 12-14 and 20-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-11, 15-19 and 23-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 1-4, 8-11, 15-19 and 23-25 are objected to because of the following: the limitation of "said sensor" in claims 1, 11 and 19, line 10 should be changed to -- sensor -- since "said sensor" lacks antecedent basis

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 8-11, 15-19 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saw et al(6,445,574) in view of Mese et al(5,396,443).

As to claims 1-4, 8-11, 15-19 and 23-25, Saw et al(6,445,574) teach an input detection system comprising a cover(12) coupled to an electronic device by a hinge; a first display component(16); a second display component(30) disposed within the cover(12) above the first display(16) when the cover is in a closed position and wherein the second display(30) is fully transparent to permit viewing the first display component

Art Unit: 2673

when the cover is in a closed position(see figures 1-2; column 1, lines 48-65; column 2, lines 53-68 and column 3, lines 1-20); a control circuit(31) coupled to a sensor component(48) and to the first display component(16, 44) and to the second display component(30, 30, 46) operable to register the indication(close or open position) as an input to the electronic device(10) and wherein the sensor is operable to differentiate the height(when the cover(12) from an open position to a close position) and cause the control circuit, in response to the differentiating, to made one of display components an active display component(16, 44)(see figures 1-3 and column 3, lines 10-50).

Saw et al fail to disclose a sensor is operable to differentiate the height of the indication above the surface of the second display component.

Mese et al teach an input detecting system comprising a sensor (102)for detecting an indication(e.g. finger or stylus) in proximity(approach or less than distance d(about 5 mm)) to but not in contact with the surface of the electronic device(display or tablet) and wherein the sensor(102) is to differentiate the height of the indication(e.g. finger or stylus) above the display and cause the control circuit, in response to the differentiating, to active display component(see figures 1, 2, 5-9; column 3, lines 58-68; column 4, lines 1-55; column 10, lines 3-68; columns 11-13 and column 14, lines 1-10). It would have been obvious to have modified Saw et al with the teaching of Mese et al, so as to save the power(see abstract).

As to claim 2, Mese et al teach a capacitive sensor(see figures 7-9; column 11, lines 17-36; column 12, lines 66-68 and column 13, lines 1-12).

As to claim 4, Mese et al teach an inductive sensor(see figures 6-9; column 10, lines 3-68; column 11, lines 1-51; column 12, lines 12-68 and column 13, lines 1-23).

As to claims 8, 9, 15-16, and 23-24, Saw et al teach a sensor(48) having a threshold(switch) for sensing a cover(12) being closed or open(see figures 1, 3 and column 3, lines 40-50).

As to claims 10, 17 and 25, it would have been obvious to have a second sensor coupled a second display so a user could also input data on a second display.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suso(6,466,202) et al teach a portable display having control means for reversing a display on the first see-through liquid crystal display.

Christensson(6,532,447) teaches a portable display having a proximity sensor.

Yoon(6,697,083) teaches a transparent LCD is mounted in an opening formed through a portion of the folder so that an image indicative of the information to be displayed is viewed in either the open or closed status of the folder.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Art Unit: 2673

supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

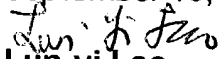
or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the Technology Center 2600 Customer Service Office
whose telephone number is (703) 306-0377.

September 10, 2004


Lun-yi Lao
Primary Examiner